

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year) See form PCT/ISA/210		
Applicant's or agent's file reference RL 608 WO		
FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/EP2005/001910	International filing date (day/month/year) 24.02.2005	Priority date (day/month/year) 16.03.2004
International Patent Classification (IPC) or both national classification and IPC F16L3/23, F16L3/26, H02G3/04		
Applicant A. RAYMOND & CIE		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001910

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations:

1 Reference is made to the following documents:

D1: EP 1 162 709 A (PANDUIT CORPORATION) 12
December 2001 (2001-12-12)

D2: US 6 164 603 A (KAWAI ET AL.) 26 December 2000
(2000-12-26)

D3: US 3 090 826 A (COCHRAN CLARENCE W) 21 May
1963 (1963-05-21)

2 Document D1 is considered to be the closest prior art. It discloses (the references between parentheses relate to said document, see figures 1, 2 and 11 in particular):

a) apparatus for holding elongate articles, in particular electrical lines and/or fluid lines, having a holding part () which has a base wall (22) and two mutually opposite edge walls (24, 24'), and having a cover part (40) which is attached to the holding part () in a pivotable manner by means of an edge hinge (28) and can be connected to the holding part () by means of a closure arrangement (30) which is situated opposite the edge hinge (28), with the cover part (40) having at least two covering portions (40A, 40B),

from which the subject matter of independent claim 1

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
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differs in that:

the cover part has at least three covering portions, with a centre hinge being formed between adjacent covering portions in each case, and with the closure arrangement providing a number of closing positions which corresponds to the number of centre hinges, in which closing positions the covering portions are arranged at different distances from the base wall.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

b) The problem addressed by the present invention can therefore be considered that of specifying an apparatus for holding elongate articles which is distinguished by a certain degree of variability as regards installation options.

c) The solution to this problem which is proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons:

The combination of features contained in claim 1 is neither known from the available prior art nor suggested by it.

3 Claims 2-5 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

4 INDUSTRIAL APPLICABILITY

The subject matter of claims 1 to 5 can be produced and used and is therefore industrially applicable.

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A. RAYMOND & CIE

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Form PCT/ISA/237 (Box No. V) (January 2004)

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International application No.

PCT/EP2005/001910

Box No. V

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